

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

852A0293

## HOUSE ENGROSSED NO. **HB1070** - 2/10/97

Introduced by: Representatives Brosz, Belatti, Broderick, DeMersseman, Gleason, Konold, Pederson (Gordon), Roe, and Schaunaman and Senators Aker, Halverson, Lawler, and Thompson

1 FOR AN ACT ENTITLED, An Act to require payment of sales commissions after termination  
2 of employment.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. If a sales representative is paid commission under a contract, either express or  
5 implied, and the contract is terminated, the sales representative is entitled to commissions  
6 pursuant to the provisions of the contract. Payment of the commissions due the sales  
7 representative shall be paid in accordance with the terms of the contract. If not specified in the  
8 contract, payments of commissions due the sales representative shall be paid upon delivery and  
9 payment of the order on sales directly attributed to the sales representative. The provisions of  
10 this section do not apply to insurance commission arrangements pursuant to Title 58 or  
11 advertising sales commissions.

1    **BILL HISTORY**

2    1/23/97 First read in House and referred to Commerce. H.J. 92

3    1/30/97 Scheduled for Committee hearing on this date.

4    2/4/97 Scheduled for Committee hearing on this date.

5    2/4/97 Commerce Do Pass Amended, AYES 10, NAYS 2. H.J. 288

6    2/7/97 Motion to Amend. H.J. 367

7    2/7/97 House of Representatives Do Pass Amended, AYES 60, NAYS 10. H.J. 368